IN RE: PETITION FOR ZONING VARIANCE N/S Hiss Avenue, 20' N of the c/l of Glen Road (3347 Hiss Avenue) 14th Election District 6th Councilmanic District Clarence E. Hunt, Sr., et ux Petitioners

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 89-74-A

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (garage) to be located outside the third of the lot farthest removed from any street, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protes-

Testimony indicated that the subject property, known as 3347 Hiss Avenue, is zoned D.R. 5.5 and has been the residence of Petitioners for the past 24 years. Petitioners propose constructing a garage to protect their vehicle and lawn equipment from vandalism and inclement weather.

Mr. Hunt testified that due to the grading and layout of the property, water runoff would cause flooding of the basement in their home if required to construct the garage in strict compliance with the zoning regulations. He testified that many of his neighbors approached him upon seeing the posted zoning notice and indicated they had no objections to his plans.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.)

Beginning on the north side of Glen Avenue 47.5 feet wide.

at the distance of 20 feet north of the centerline of Glen

Road. Being lots 436, 437; Section B; in the subdivision of

Glen Haven. Book No. 7. Folio 62. Also known as 3347

Hiss Avenue in the 14th Election District.

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this _____day of October, 1988 that the Petition for Zoning Variance to permit an accessory structure (garage) to be located outside the third of the lot farthest removed from any street in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> 2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facil-

> > I M Nesterovicy ANN M. NASTAROWICZ Deputy Zoning Commissione for Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 491-3353 J. Robert Hair 's

October 14, 1988

Mr. & Mrs. Clarence E. Hunt, Sr. 3347 Hiss Avenue Baltimore, Maryland 21236

RE: PETITION FOR ZONING VARIANCE N/S Hiss Avenue, 20' N of the c/l of Glen Road (3347 Hiss Avenue) 14th Election District - 6th Councilmanic District Clarence E. Hunt, Sr., et ux - Petitioners

Dear Mr. & Mrs. Hunt:

Case No. 89-74-A

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

and Master on in ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

cc: People's Counsel File

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

AMN:bjs

. Robert Haines

August 29, 1988

Dennis F. Rasmussen
County Executive

NOTICE OF REASSIGNMENT

CASE NUMBER: 89-74-A N/S Glen Avenue, 20° N c/1 Glen Avenue (3347 Hiss Avenue) 14th Election District - 6th Councilmanic Petitioner(s): Clarence E. Hunt, Sr.

which had been assigned for hearing on Wednesday, September 21, 1988 has been changed to a later date and has been

REASSIGNED FOR:

TUESDAY, OCTOBER 11, 1988 at 2:00 p.m.

cc: Mr. & Mrs. Clarence E. Hunt, Sr.

Baltimore County

Zoning Commissioner

Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Clarence E. Hunt, Sr.

Baltimore, Maryland 21236

3347 Hiss Avenue

Dennis F. Rasmussen
County Executive

Petition for Zoning Variance CASE NUMBER: 89-74-A N/S Glen Avenue, 20' N c/1 Glen Avenue (3347 Hiss Avenue) 14th Election District - 6th Councilmanic Petitioner(s): Clarence E. Hunt, Sr. HEARING SCHEDULED: WEONESDAY, SEPTEMBER 21, 1980 at 2100 p.m.

Please be advised that _______is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE · REVENUE DIVISION MISCELLANEOUS CASH RECEIPT R-01-615-000

post set(s), there

each set not

Posting & Advartising (87-74 A)

AMOUNT_\$ //0.50

Dennis F. Rasmusser

Property is to be posted and advertised as prescribed by Zoning Regulations.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

following reasons: (indicate hardship or practical difficulty)

from any street.

my basement.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

PETITION FOR ZONING VARIANCE

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 400.1 To permit an accessory building (garage)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the

2- There are at least two springs in the aera one is piped to the storm drain.

3- We live at the bottom of a slope which gets all the water from the neighbors

yards by putting the garage back further i would divert this water towards

to be located outside of the third of the lot farthest removed

1- The back yard was a swamped aera that has been filled in.

Item 468

DATE 1-19-19

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Clarence E. Hunt Sr. (Type or Print Name) (Type or Print Name) beforence E. Hunt Si Rita C. Hunt (Type or Print Name) Rota C Hunt City and State Attorney for Petitioner: 3347 Hiss Avc Balto md. 21236 Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Attorney's Telephone No.: ORDERED By The Zoning Commissioner of Baltimore County, this . of _____, 19___, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the ____ day of _septender, 1988, at 2:00 o'clock

to lovery sources estinated leagth of learning (1/218) +187. AVAILABLE FOR HEARING MON./TUES./HED. - MEXT TWO MONTHS REHTO _____ DATE 6/24/48 REVIEWED BY: MIK

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sluggest 25, 19 78 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published

in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on lug. 25.1988

437.50

5. Zehe_Orlun

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Date of Posting 9/17/88 District 14T4 Vorionco Clorence E. Hunt, sn Location of property: 1/5 Glon Are, + W/5 Hiss Are,
3347 /his Are. Location of Signer Facing Hiss Itro, oppose: 15" Fx. 400 dway 9/23/85 Number of Signer

CERTIFICATE OF POSTING

89-74-D

#468

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-74-A N/S Glen Avenue, 201 N c/1 Glen Avenue (3347 Hiss Avenue) 14th Election District - 5th Councilmanic Petitioner(s): Clarence E. Hunt, Sr. HEARING SCHEDULED: MEDNESDAY, SEPTEMBER 21, 1988 at 2:00 p.m.

Variance to permit an accessory building (garage) to be located outside of the third of the lot farthest removed from any street.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 15, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

3347 Hiss Avenue Baltimore, Maryland 21236 RE: Item No. 468 - Case No. 89-74-A
Petitioner: Clarence E. Hunt, Sr., et ux

Bureau of Department of Traffic Engineering

State Roads Commissio Buresu of Fire Prevention Health Department Project Planning Building Department Board of Education Soning Administration

Industrial

Dear Mr. & Mrs. Hunt: The Zoning Plans Advisory Committee has reviewed the plans

Mr. & Mrs. Clarence E. Hunt, Sr.

submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Petition for Zoning Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed. filing certificate and a hearing scheduled accordingly.

Very truly yours,

Janu & Dyelde DAMES E. DYER

Zoning Plans Advisory Committee

Flat for Zoning Variage Lot size; 6,376 sq, Ounce - Clarence & Rita Hunt Ciction District 14, Zoned DR 5.5 Subdivision - Glen Haven; Section 13; Lots 436, 437 Plat 1300K 7 - Folio 6 2 Existing Utilities in Glen Rd Scale : 1" = 20" .146 acre CL + Hiss Are (50' R/W. 20'to CL of Glen Rd 47.5 1 Existing Existing Duelling Dwelling Existing # 33 49 Dwelling # 3345 #3247 Proposed Driveway Garage Vicinity PETITIONER'S

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

Mr. J. Robert Haines Zoning Commisioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

SEW/RF/cps

The Bureau of Traffic Engineering has no comments for items number

458, 459, 460, 462, 464, 465, 467, 468) 470, and 471.

Stephen E. Weber, P.E. Assistant Traffic Engineer

ZONING OFFICE

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this

6th day of July 1953.

Advisory Committee Petitioner's

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

July 15, 1988

Paul H. Reincke J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Clarence E. Hunt, Sr., et ux

Location: N/S Glen Avenue, 20' N. c/1 Glen Avenue

Zoning Agenda: Meeting of 7/5/88

Gentlemen:

Item No.: 468

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEIDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

().5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

Noted and

Noted and

BALLIMORE COUNTY, MARY AND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines To Zoning Commissioner

Date August 31, 1988

Pat Keller, Deputy Director
FROM Office of Planning and Zoning Clarence Hunt House SURJECT Zoning Petition No. 89-74-A

The Office of Planning and Zoning is in favor of granting the requested variance. It should be demonstrated that the proposed garage is sufficiently set back from Glen Road to allow the adequate parking of an automobile on the driveway between the garage and the ultimate right-of-way.

The applicant is showing a 19 foot garage setback to the Glen Road property line which should lie behind the ultimate right-of-way and sidewalk (if any).

CC! Clarence E. Hust, Sr. 9-8-88/1